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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Note verbale dated 16 December 2003 from the Permanent Mission of Maldives to the United Nations addressed to the Chairman of the Committee

The Permanent Representative of the Republic of Maldives to the United Nations presents his compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida and the Taliban and associated individuals and entities, and has the honour to submit herewith the report of the Republic of Maldives, in accordance with paragraph 6 of Security Council resolution 1455 (2003) (see annex).

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Annex to the note verbale dated 16 December 2003 from the Permanent Mission of Maldives to the United Nations addressed to the Chairman of the Committee

Report of the Republic of Maldives Pursuant to Paragraph 6 of Resolution 1455 (2003) submitted to the Committee Established by Security Council Resolution 1267 (1999)

The Maldives supports all international measures in the fight against terrorism. Since the country became the target of a terrorist attack in 1988, the Maldives has raised its voice at the General Assembly regularly calling for the enhancement of international cooperation to combat and eliminate terrorism. The Government of Maldives strongly condemns all terrorist attacks and reiterates its readiness to cooperate fully with the international community to combat terrorism.

I. Introduction

1. Please provide a description of activities, if any, by Usama Bin Laden, Al-Qaida, the Taliban and their associates in your country, the threat they pose to the country and the region, as well as likely trends.

The competent authorities of the Maldives have not received any reports of any activities conducted by Usama Bin Laden, the Taliban or Al-Qaida or their associates in the Republic of Maldives, and believes that there are no activities conducted by them in the Maldives. The Maldives remains alert to any potential terrorist threats and shares information with friendly countries and countries in the region to eliminate terrorist threats.

II. Consolidated List

2. How has the 1267 Committee's List been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?

Several administrative and regulatory measures have been introduced to comply with the 1267 Committee's List. These include the circulation of the List to the competent authorities for appropriate action. The Ministry of Finance and Treasury of the Government of Maldives is advised each time a new name is added to the List. The Ministry of Finance and Treasury alerts the Central Bank of the Maldives – Maldives Monetary Authority (MMA) which issues Freeze Orders to all commercial banks and money transfer agencies for those in the List. The banks have also been asked to remain vigilant on unusual transfers of money. The Department of Immigration and Emigration monitors the names in the List to deny entry and transit to those included in the List.

3. Have you encountered any problems with implementation with regard to the names and identifying information as currently included in the List? If so, please describe these problems.

The competent authorities have not encountered any problems with regard to the names and particulars in the List.

4. Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the actions that have been taken.

None of the designated entities or individuals have been identified inside the territory of the Republic of Maldives.

5. Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Usama Bin Laden or members of the Taliban or Al-Qaida that have not been included in the List, unless to do so would compromise investigations or enforcement actions.

The Maldives has no information about any such persons whose names could be included in the List.

6. Have any listed individuals or entities brought a lawsuit or engaged in legal proceedings against your authorities for inclusion in the List? Please specify and elaborate, as appropriate.

No lawsuit has been brought against any Maldivian authority by any such individuals or entities.

7. Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the List? If so, please provide this information to the committee as well as similar information on listed entities, as available.

None of the listed individuals are nationals of the Maldives, and there is no information about any individual or entity not included in the List.

8. According to your national legislation, if any, please describe any measures you have taken to prevent entities and individuals from recruiting or supporting Al-Qaida members in carrying out activities inside your country, and to prevent individuals from participating in Al-Qaida training camps established in your territory or in another country.

Law on the Prevention of Terrorism in the Maldives (Law No. 10/90) provides the legislative framework to deal with acts of terrorism. This Law is also interpreted to include recruitment to terrorist groups.

In addition, Law on Narcotic Drugs and Psychotropic Substances (Law No. 17/77) and Law on the Prevention and Prohibition of Corruption (Law No. 2/2000) subscribe to the legislative framework against financing of terrorist acts and money laundering. Section 6 of Law No. 17/77 in particular prohibits the receiving, keeping and use of goods or money obtained, or with reason to believe to have been obtained through indulgence in an act prohibited under the Law.

III. Financial and Economic Assets Freeze

9. Please describe briefly :

- **The domestic legal basis to implement the asset freeze required by the resolutions above;**
- **Any impediments under your domestic law in this context and steps taken to address them.**

The Maldives Monetary Authority (MMA) as the regulatory authority for activities in the financial sector monitors the compliance of the financial institutions with relevant laws and regulations in effect in the Maldives. These laws and regulations are the Maldives Monetary Act (1981); Regulations Governing Banks and Financial Institutions; Regulations Governing Finance Leasing Companies and Finance Leasing Transactions and MMA's Circulars and Directives to the commercial banks and other financial services. The MMA issues Directives to the banks to be vigilant in "Knowing Your Customers." The Authority's Freeze Orders and Directives are binding on all commercial banks and other financial institutions in the Maldives. To date, there have been no known cases of unusual financial transactions through the banking system in the Maldives.

10. Please describe any structures or mechanisms in place within your Government to identify and investigate Usama Bin Laden, Al-Qaida or Taliban-related financial networks, or those who provide support to them or individuals, groups, undertakings and entities associated with them within your jurisdiction. Please indicate, as appropriate, how your efforts are coordinated nationally, regionally and/or internationally.

The Maldives Monetary Authority monitors commercial banks and other financial institutions and requires them to report to the Authority any unusual financial or transactions involving large sums of money.

11. Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Usama Bin Laden or members of Al-Qaida or the Taliban, or associated entities or individuals. Please describe any "due diligence" or "know your customer" requirements. Please indicate how these requirements are enforced, including the names and activities or agencies responsible for oversight.

Directives and Circulars of the Maldives Monetary Authority prescribe measures which can help identify any such transfers by those listed or any assets held by those listed.

12. Resolution 1455 (2003) calls on Member States to provide "a comprehensive summary of frozen assets of listed individuals and entities." Please provide a list of the assets that have been frozen in accordance with this resolution. This list should also include assets frozen pursuant to resolutions 1267 (1999), 1333 (2001) and 1390 (2002). Please include, to the extent possible, in each listing the following information.

- **Identification(s) of the person of entities whose assets have been frozen;**
- **A description of the nature of the assets frozen (i.e., bank deposits securities, business assets, precious commodities, work of art, real estate property and other assets);**
- **The value of assets frozen.**

The authorities have not detected any financial assets belonging to the listed entities or individuals.

13. Please indicate whether you have released pursuant to Resolution 1452 (2002) any funds, financial assets or economic assets that had previously been frozen as being related to Usama Bin Laden or members of the Al-Qaida or the Taliban or associated individuals or entities. If so, please provide reasons, amounts unfrozen or released and dates.

No funds, financial assets or economic assets related to Usama Bin Laden or members of the Al-Qaida or the Taliban or associated individuals or entities have been detected in the Maldives.

14. Pursuant to Resolutions 1455 (2003), 1390(2001), 1333 (2002) and 1267 (1999), States are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to Listed individuals or entities or for their benefit, by nationals or by any persons within their territory. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movements of such funds or assets to designated individuals and entities. This section should include a description of:

- **The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban. This section should include an indication of the types of institutions informed and the methods used.**
- **Required bank-reporting procedures, if any, including the use of Suspicious Transaction Reports (STR), and how such reports are revised and evaluated.**
- **Requirements, if any, placed on financial institutions other than banks to provide STR, and how such reports are reviewed and evaluated.**

- **Restrictions or regulations, if any, placed on the movement if precious commodities such as gold, diamonds and other related items.**
- **Restrictions or regulations, if any, applicable to alternate remittance systems such as ---or similar to--- "hawala", as well as on charities, cultural and other non-profit organisations engaged in the collection and disbursement of funds for social or charitable purposes.**

The Maldives Monetary Authority issues Freeze Orders, Circulars and Directives. These are binding on all commercial banks and other financial institutions in the Maldives.

There is no alternative remittance system to the above in the Maldives.

IV. Travel Ban

15. Please provide an outline of the legislative framework and/or administrative measures, if any, taken to implement the travel ban.

The National Security Service (NSS) and other law enforcement agencies such as the Maldives Customs Service, the Department of Immigration and Emigration, and the Airport Security, work jointly to deny terrorists entry into the Maldives. The authorities depend on tip-offs from the Interpol and law enforcement agencies of other states. In addition, there is enhanced screening processes for passengers, luggage and cargo at ports and airports. Following 9/11, the Customs procedures have been made more stringent. The Department of Immigration and Emigration has enhanced measures to monitor closely the entry and exit of persons to prevent listed/wanted people from entering or transiting the Maldives. The NSS, as the principal agency responsible for law enforcement activities, has enhanced security measures at air and sea ports and has improved its coordination with the Customs and Immigration authorities.

16. Have you included the names of the listed individuals in your national "stop list" or border checkpoint list? Please briefly outline steps taken and any problems encountered.

The names have been circulated to the relevant border checkpoints. The agencies involved in border check points work jointly to monitor the "stop list". So far no problems have been encountered in the Maldives.

17. How often do you transmit the updated List to your border control authorities? Do you possess the capability of searching List data using electronic means at all your entry points?

The updated list is circulated to the competent authorities as soon as it is received in the Ministry of Foreign Affairs. Likewise all additions to the List are notified to them promptly. All border control check points have the capability of electronically searching the data list.

18. Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information as appropriate.

None in the List has so far attempted entry into or have transited through the Maldives.

19. Please provide an outline of the measures, if any, taken to incorporate the List in the reference database of your Consular offices. Have your visa issuing authorities identified any visa applicant whose name appears on the List?

The List is maintained at the entry and exit points of the Maldives. No prior visa is required to enter the Maldives. All foreigners are issued a 30 day visa on arrival at the entry point where the names of arriving passengers are checked against the List.

V. Arms Embargo

20. What measures, if any, do you have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Usama Bin Laden, members of Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?

Law No. 4/75 regulates the importation, production and handling of arms, ammunitions and explosives. This law prohibits any person from acquiring firearms, possession of guns or importing weapons into the Maldives without the prior authorisation of the Ministry of Defence and National Security. The Ministry of Defence and National Security is tasked with the enforcement of this Law.

The Maldives does not export any weapons or weapons technology as it does not produce any weapons.

21. What measures, if any, have you adopted to criminalise the violation of the arms embargo directed at Usama Bin Laden, members of Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them?

Any case of violation of Law No 4/75 that governs the importation, production and handling of arms, ammunition and explosives is referred to the Criminal Court.

22. Please describe how your arms/arms broker licensing system, if any, can prevent Usama Bin Laden, members of Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.

The procurement of arms and ammunitions is strictly restricted to the Ministry of Defence and National Security of the Government of Maldives.

23. Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Usama Bin laden, members of Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated?
The Maldives does not produce any weapons and ammunitions.

VI. Assistance and conclusion

24. Would your state be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolution? If so, please provide additional details or proposals.

The Maldives does not possess sufficient expertise to provide assistance to other States, but remains ready to share information with the law enforcement agencies of other countries to prevent terrorist acts and in case a terrorist act occurs, to cooperate with them to arrest and to bring those responsible to justice.

25. Please identify areas, if any, or any incomplete implementation of the Taliban/Al-Qaida sanctions regime, and where you believe specific assistance or capacity building would improve your ability to implement the above sanctions regime.

The Maldives fully complies with the sanctions regime against the Taliban/Al-Qaida and implements all measures prescribed by the resolution.

26. Please include any additional information you believe pertinent.

The Maldives is already party to the following 7 of the 12 global conventions on terrorism.

- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973.

- International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997.

- Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963.

- Protocol on the suppression of Unlawful Acts of Violence at airports Serving International Civil Aviation, supplementary to the Convention for the suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988.

- Convention on the Marketing of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991.

- Convention for the suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16 December 1970.

- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation signed at Montreal on 23 September 1971.

In addition, the Maldives is also party to the SAARC Regional Convention on Suppression of terrorism signed in 1987. The Government of Maldives is in the process of studying the remaining five conventions.

The Government has completed studying the International Convention for the Suppression of the Financing of Terrorism adopted by the General Assembly on 9 December 1999. The Government of Maldives hopes to accede to the Convention soon.